IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33425 of 2008
TOBID KUMAR YADAV @ TOBID YADAV & RAMJEE YADAV
Versus
STATE OF BIHAR
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2. 2.9.2008 Heard.

From a three wheeler on which several persons were sitting, the police recovered a country made pistol and a cartridge along with 303 bore live cartridge. The petitioner was in custody only because he was one of the occupants of the three.

The contention is that there is no recovery from anybody's possession and no one could be assigned conscious possession of the arms.

Let the above named two petitioners be released from custody on furnishing bond of rs.5,000/-(five thousand)each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in Chandauti P.S.Case no.55 of 2008.

(Dharnidhar Jha, J.)

B.Kr.

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